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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,287	09/07/2000	Stefan Reimer	951/48911	4089

7590 11/20/2002

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[REDACTED] EXAMINER

RIOS CUEVAS, ROBERTO JOSE

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2836

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Applicant No. .	Applicant(s)
	09/581,287	REIMER ET AL.
	Examiner Roberto J Rios	Art Unit 2836

-- The MAILING DATE of this communication appears in the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04 September 2002.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 3-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 3-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
- 1.) Certified copies of the priority documents have been received.
  - 2.) Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Dogoshi et al JP 06-253409.

As per claim 3, Dogoshi et al (herein after Dogoshi) teach a device for supplying electricity to a motor vehicle comprising a chargeable battery (51); a voltage transformer control device (15, 81, 53) having a first end connected to said chargeable battery; a capacitor (57) for charging said battery connected to a second end of said voltage transformer control device wherein the maximum voltage of said capacitor has a value which is greater than a maximum voltage of said battery and wherein said transformer control device discharges said capacitor until the voltage of said capacitor is substantially equal to said maximum voltage of said battery (abstract).

As per claim 4, Dogoshi teaches the capacitor being discharged until the voltage of said capacitor is equal to the value of the actual voltage of the battery (abstract).

As per claim 5, Dogoshi teaches a method for supplying electricity to a motor vehicle comprised the steps of providing a rechargeable battery (51) having a nominal voltage ([0013] translation); providing an energy accumulator (57) having a maximum voltage which is substantially greater than said nominal voltage; discharging said energy accumulator until the voltage of said accumulator is substantially equal to said nominal battery voltage (abstract).

As per claim 6, Dogoshi teaches a battery recharging system for improving the service life of a rechargeable battery, said system comprising energy accumulator means (57) having a first nominal voltage greater than a maximum voltage of said battery (51); means (15, 81, 53) connected between said accumulator and said battery for discharging said energy accumulator by a voltage decreasing transformation until said first nominal voltage has been reduced to a voltage substantially equal to the maximum battery voltage (abstract).

3. Art of general nature relating to capacitor/battery charging/discharging has been cited for applicant's review.

***Response to Arguments***

4. Applicant's arguments with respect to claims 3-6 have been considered but are moot in view of the new ground(s) of rejection. However, the Examiner wants to further clarify his rejection. Dogoshi translation discloses that the battery is composed in such a way as to obtain a desired maximum voltage [0113]. Dogoshi further discloses that in a regenerative mode, the capacitor voltage could exceed the battery voltage [0021]. This is construed as the capacitor having a maximum voltage higher than the battery voltage.

**Communication with PTO**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberto Rios whose telephone number is (703) 306-5518. In the event that Examiner Rios cannot be reached, his supervisor, Brian Sircus may be contacted at (703) 308-3119. The fax number for Before-Final communications is (703) 872-9318, for After-Final communications is (703) 872-9319, and for Customer Service is (703) 872-9317.



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